

MAIL STOP AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Djuro SLIVAR
Serial No. : 10/578,149
Filed : May 3, 2006
Group Art Unit : 1795
Examiner : A.J. Barrow
Confirmation : 8814
Docket No. : 7862-88107
For : Separator for cylindrical cells

Supplemental Response

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 30, 2009

Sir:

This response is supplemental to the Amendment filed July 6, 2009 in response to the Office Action of June 3, 2009:

The above mentioned Office Action simply required that Applicant elect for further prosecution on the merits either Invention I, as defined in claims 1-6, drawn to a cylindrical separator for cylindrical cells, or Invention II, as defined in claims 7-16, drawn to a method for making a cylindrical separator closed at the bottom for batteries with a hollow cylindrical interior. Although applicant argued against the restriction requirement, it was noted that the actual election, while inferred, was not specifically stated. Accordingly, to avoid any ambiguity, applicant hereby elects invention I, i.e., the cylindrical separator as defined by claims 1-6 for further prosecution in this application

However, for the reasons stated in the original response, it is submitted that there is unity of invention between inventions I and II as required by PCT Rule 13.1, and that

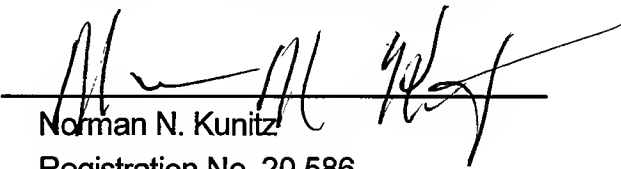
therefore, the restriction requirement should be withdrawn and an action issued on the merits of all of the pending claims, i.e., claims 1-16.

If the Examiner is of the opinion that the prosecution of the present application would be advance by a personal interview, the Examiner is invited to telephone undersigned counsel to arrange foe such an interview.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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